

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled PRECISION CONTROLLED FAST VALVE, the specification of which:

☒ is attached hereto.

☐ was filed on _ as Application Serial No. _ and was amended on _____.

☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

| <u>U.S. Serial No.</u> | <u>Filing Date</u> | <u>Status</u> |
|------------------------|--------------------|---------------|
| 60/280,314 | 03/29/01 | Pending |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| <u>U.S. Serial No.</u> | <u>Filing Date</u> | <u>Status</u> |
|------------------------|--------------------|---------------|
|------------------------|--------------------|---------------|

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

| <u>Country</u> | <u>Application No.</u> | <u>Filing Date</u> | <u>Priority Claimed</u> |
|----------------|------------------------|--------------------|-------------------------|
|----------------|------------------------|--------------------|-------------------------|

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Scott C. Harris, Reg. No. 32,030
David L. Feigenbaum, Reg. No. 30,378
Hans R. Troesch, Reg. No. 36,950
Bing Ai, Reg. No. 43,312
John C. Phillips, Reg. No. 35,322
Frederick H. Rabin, Reg. No. 24,488
Joseph L. Stevenson, Reg. No. 43,163
Jerry D. Lentz, Reg. No. 33,945

William J. Egan, III, Reg. No. 28,411
James T. Hagler, Reg. No. 40,631
Samuel Borodach, Reg. No. 38,388
Kenyon S. Jenckes, Reg. No. 41,873
Richard J. Anderson, Reg. No. 36,732
Micheal P. Reed, Reg. No. 45,647
William E. Hunter, Reg. No. 47,671

Combined Declaration and Power of Attorney

Page 2 of 2 Pages

Address all telephone calls to JAMES T. HAGLER at telephone number (858) 678-5070.

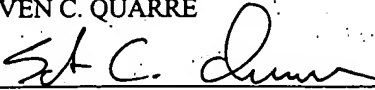
Address all correspondence to JAMES T. HAGLER at:

FISH & RICHARDSON P.C.
4350 La Jolla Village Drive, Suite 500
San Diego, California 92122

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: STEVEN C. QUARRE

Inventor's Signature:



Date:

3/18/02

Residence Address:

Woodinville, WA

Citizenship:

UNITED STATES

Post Office Address:

14015 159th Ave. N.E.

Woodinville, WA 98072

Inventor(s): Steven C. QUARRE
Appln. No.: To Be Assigned or Patent No.: _____
Filed: October 20, 2003 or Issued.: _____
Title: PRECISION CONTROLLED FAST VALVE

(Atty. Dkt. _____)
044182-306426
M# / Client Ref. _____

SMALL ENTITY STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(d) and 1.27 (c)) - **SMALL BUSINESS CONCERN**

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern or empowered to act on behalf of the concern identified below:

NAME OF CONCERN Applied Precision, LLC

ADDRESS OF CONCERN 1040 12th Avenue N.W., Issaquah, Washington 98027-8929

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention **entitled: PRECISION CONTROLLED FAST VALVE** by inventor(s) Steven C. QUARRE described in

x → ☒ the specification filed herewith,
one → ☐ Application No. _____, filed
box → ☐ Patent No. _____, issued

If the rights held by the above identified small business concern are not exclusive, each small entity individual, concern or organization having rights to the invention is listed in (A) and (B) below and no rights to the invention are held by any person, other than the inventor, who could not qualify under 37 CFR 1.9(c) as an independent inventor if that person had made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

(A) FULL NAME of assignee/licensee/grantee/conveyee* Applied Precision, LLC

ADDRESS 1040 12th Avenue N.W., Issaquah, Washington 98027-8929

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

(B) FULL NAME of assignee/licensee/grantee/conveyee*

ADDRESS

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

*NOTE: Separate statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Victor J. Castellucci

TITLE OF PERSON OTHER THAN OWNER Attorney for Applicant

ADDRESS OF PERSON SIGNING 11682 El Camino Real, Suite 200, San Diego, California 92130

SIGNATURE

Victor J. Castellucci

DATE

OCTOBER 20, 2003

**RECORDATION FORM COVER SHEET
PATENT APPLICATIONS & PATENTS ONLY**

TO THE DIRECTOR OF THE US PATENT AND TRADEMARK OFFICE:
SIR: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

1. NAME OF CONVEYING PARTY(IES) (ASSIGNORS(S)):

1. Steven C. Quarre

3.

5.

7.

2.

4.

6.

8.

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED? ☐ YES ☒ NO

2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: Applied Precision, LLC

ADDRESS: 1040 12th Avenue N.W., Issaquah, Washington 98027-8929ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED? ☐ YES ☒ NO

3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)

☒ ASSIGNMENT OF ☒ WHOLE ☐ PART INTEREST
☐ ORIGINAL ☐ FACSIMILE/PHOTOCOPY
☐ CHANGE OF NAME ☐ VERIFIED TRANSLATION
☐ SECURITY ☐ MERGER ☐ OTHER:

EXEC. DATE: 03-27-02

EXECUTION DATE(S) ON THE DECLARATION IF FILED HERewith: (NOTE: IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!) 03-13-02

4.5 APPL. NO.(S) OR PAT NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached? ☐ YES ☒ NO

| A. PAT. APP. NO.(S) series/code/serial no | M# | 1 st INVENTOR if not in item 1 | B. PATENT NO(S) | M# | 1 st INVENTOR if not in item 1 |
|----------------------------------------------|---------------|----------------------------------------------|-----------------|----|----------------------------------------------|
| | 044182-306426 | | | | |

5. Name & Address of Party to Whom Correspondence Concerning Document Should be Mailed:

Pillsbury Winthrop LLP
Intellectual Property Group
 11682 El Camino Real, Suite 200
 San Diego, CA 92130-2092

6. NUMBER INVOLVED:

APPLNS 1 + PATS 0 = TOTAL = 1

7. AMOUNT OF FEE DUE: (Code 8021)

ABOVE TOTAL x \$40 = \$40

5.5 ATTY DKT:

P 044182

306426

8. PLEASE CHARGE TO OUR DEPOSIT ACCOUNT

NUMBER: 50-2212

UNDER ORDER NO

044182

306426

MATTER NO.

CLIENT REF.

dup. sheet not required

CLIENT NO.

MATTER NO.

9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.



Signature

Attorney: Victor J. Castellucci

Reg. No. 43,535

Atty/Sec: VJC/kac

TEL: (858) 509-4007

Date: October 20, 2003

FAX: (858) 509-4010

10. Total number of pages including this cover sheet, attachments and document (do not file dup. Cover sheet)

3

FILE WITH PTO RETURN RECEIPT (PAT-103A)



PATENT AND
TRADEMARK OFFICE

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JUN 10 2002

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JUNE 03, 2002

PTAS

FISH & RICHARDSON, P.C.
SAN DIEGO

Commissioner for Trademarks
Arlington, VA 22202-3513
www.uspto.gov

FISH & RICHARDSON P.C.
JAMES T. HAGLER
4350 LA JOLLA VILLAGE DRIVE, SUITE 500
SAN DIEGO, CALIFORNIA 92122



102047838A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/27/2002

REEL/FRAME: 012753/0275
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

QUARRE, STEVEN C.

DOC DATE: 03/27/2002

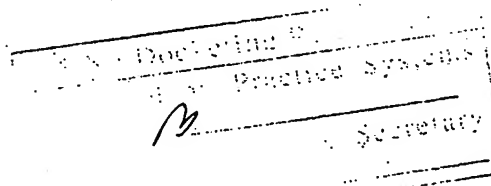
ASSIGNEE:

APPLIED PRECISION, LLC
1040 12TH AVENUE N.W.
ISSAQUAH, WASHINGTON 98027-8929

SERIAL NUMBER: 10108803
PATENT NUMBER:

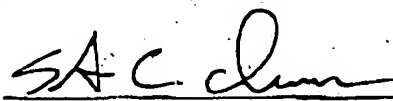
FILING DATE: 03/27/2002
ISSUE DATE:

TONYA LEE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



ASSIGNMENT

For valuable consideration, I, STEVEN C. QUARRE of Woodinville, WA, hereby assign to Applied Precision, LLC, a corporation having a place of business at 1040 12th Avenue N.W., Issaquah, WA 98027-8929; and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by me, entitled PRECISION CONTROLLED FAST VALVE, filed _____, and assigned U.S. Serial Number _____, and I authorize and request the attorneys appointed in said application to hereafter complete this assignment by inserting above the filing date and serial number of said application when known; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and I agree for me and my respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

Date: 3/27/02

STEVEN C. QUARRE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of
 Inventor(s): Steven C. QUARRE

Group Art Unit: 3754

Examiner: Keasel, Eric S.

Appl. No.: 10/108,803

Atty. Dkt: 044182-290107 /
 M# / Client Ref.

Filing Date: March 27, 2002
 Title: PRECISION CONTROLLED FAST VALVE

POWER OF ATTORNEY FROM ASSIGNEE
AND REVOCATION OF PRIOR POWERS

Hon. Commissioner of Patents
 Washington, D.C. 20231

Sir:

The undersigned, person, whose title is indicated below, is empowered to sign this document on behalf of the assignee of record in the above-entitled patent application. The chain of title from the original owner to the assignee is recorded as follows:

| | | |
|-------------------------------|----------------------|---------------------|
| 1. Date <u>March 27, 2002</u> | , Reel <u>012753</u> | , Frame <u>0275</u> |
| 2. Date _____ | , Reel _____ | , Frame _____ |
| 3. Date _____ | , Reel _____ | , Frame _____ |

The undersigned assignee hereby revokes all previous powers and appoints Pillsbury Winthrop LLP, Intellectual Property Group, 11682 El Camino Real, Suite 200, San Diego, California 92130, telephone (619) 234-5000 (to whom all communications about this application are to be directed), and the below named persons (of the same address), individually and collectively, our attorneys to prosecute this patent application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent:

| | |
|-----------------------|-------|
| G. Lloyd Knight | 17698 |
| George M. Sirilla | 18221 |
| Dale S. Lazar | 28872 |
| Glenn J. Perry | 28458 |
| G. Paul Edgell | 24238 |
| David A. Jakopin | 32995 |
| Mark G. Paulson | 30793 |
| Stephen C. Glazier | 31361 |
| Richard H. Zaitlen | 27248 |
| Roger R. Wise | 31204 |
| Jonathan E. Jobe, Jr. | 28429 |
| James Y. Sze | 43943 |
| Robert M. Bedgood | 43488 |

| | |
|-----------------------|-------|
| Jack S. Barufka | 37087 |
| Adam R. Hess | 41835 |
| William P. Atkins | 38821 |
| Paul L. Sharer | 36004 |
| Robin L. Teskin | 35030 |
| Anthony L. Miele | 34393 |
| Robert J. Walters | 40862 |
| Brian J. Beatus | 38825 |
| John R. Wetherell | 31678 |
| Steven Moore | 35959 |
| Suzanne L. Biggs | 30158 |
| Victor J. Castellucci | 43535 |

APPLIED PRECISION, LLC

Assignee

By 

Name: Joseph J. Victor

Title: Vice President

Date 9/4/03

Atty/Sec: VJC/kac